

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 20-CV-81205-RAR

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**COMPLETE BUSINESS SOLUTIONS GROUP,
INC. d/b/a PAR FUNDING, et al.,**

Defendants.

**LISA MCELHONE’S AND JOSEPH LAFORTE’S
MOTION FOR A TWO-WEEK ENLARGEMENT OF TIME
TO COMPLY WITH THE COURT’S HAVERFORD HOME ORDERS**

Defendants, Lisa McElhone and Joseph LaForte (“Defendants”), by and through their undersigned counsel, hereby file this Motion for a two-week enlargement of time to comply with the Court’s Orders (ECF Nos. 1486 and 1503) compelling them to pay rent and expenses for the three single-family homes within the Receivership Estate or, alternatively, to vacate and surrender the Haverford Home, and as support therefore state as follows:

1. On January 11, 2023, the Court entered an Order (ECF No. 1486, the “Haverford Home Order”) requiring the Defendants to pay the Receiver rent, residential expenses and carrying costs for the three single-family homes within the Receivership Estate: 1) 107 Quayside Drive, Jupiter, FL (the “Jupiter Home”); 2) 105 Rebecca Court in Paupack, PA (the “Paupack Home”); and 3) the Defendants’ primary and current residence, 568 Ferndale Lane, Haverford, PA (the “Haverford Home,” and collectively with the Jupiter Home and the Puapack Home, the “Residential Properties”). At the time the Order was entered, the Receiver represented that these expenses totaled \$61,481.17.

2. The Haverford Home Order was briefly stayed to allow motions practice on this issue, but the stay was subsequently lifted by Order of the Court dated January 31, 2023 (ECF No. 1503).

3. By operation of the two Orders discussed above, the current deadline for the Defendants to pay the expenses for the Residential Properties is March 3, 2022. Alternatively, if the Defendants do not pay these expenses, the deadline for them to surrender and vacate the Haverford Home will be May 2, 2023.

4. The deadlines above were acknowledged at the Court's last Status Conference, which was conducted on February 28, 2023. At that Status Conference, the SEC also advised the Court that it will soon be filing a motion to take possession or control of the Residential Properties (and other commercial properties within the Receivership Estate) from the Receiver because the SEC believes its vendors will be able to liquidate these assets in a more cost-effective manner.

5. As a result of these developments, the Defendants are left in doubt regarding who will have possession and control of the Residential Properties in the near future, and whether they will be permitted to maintain their residence at the Haverford Home if they pay the expenses for the Residential Properties.

6. The Defendants request a two-week enlargement of the March 3, 2023 deadline to pay the expenses for the Residential Properties for several reasons.

7. First, this extension will allow for further discussions with counsel for the Receiver and the SEC regarding the anticipated possession and disposition of the Residential Properties so that the Defendants make an informed decision regarding how they will proceed. Notably, the parties will be conducting mediation next Friday in connection with the Defendants' appeal, and this mediation will present a significant opportunity for the Defendants, the SEC and the Receiver to address the disposition of the Residential Properties and other assets in the Receivership Estate.

8. Second, the Defendants seek this extension to afford them an opportunity to be counseled by James Kaplan (who is lead counsel for Ms. McElhone) regarding the issues presented. Mr. Kaplan had an unexpected death in his immediate family on January 30, 2023 (the day before the stay on the Haverford Home Order was lifted) and, as a result, he was not available to counsel Ms. McElhone on these issues until very recently.

9. Defendants are seeking the requested extension due to the foregoing circumstances, and not for the purposes of delay.

10. Defendants' counsel conferred with counsel for the Receiver and was advised that the Receiver has no objection to the requested extension.

11. Furthermore, no party will be prejudiced if the extension is granted because the extension applies only to the payment deadline – and will not impact the deadline for Defendants to vacate and surrender the Haverford Home if payments is not made.

WHEREFORE, Defendants respectfully request an extension of time, up to and including March 17, 2023, to exercise their option to pay the expenses for the Residential Properties pursuant to the Haverford Home Order.

S.D. Fla L. R. 7.1(a)(3) Certification of Counsel

Counsel for the Defendant hereby certify that they have conferred with counsel for the Receiver in a good faith effort to resolve the issues raised in this motion and are authorized to state that the Receiver does not oppose the requested extension.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of March, 2023, I electronically filed the forgoing document with the clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on counsel of record via transmissions of Notices of Electronic Filing generated by CM/ECF.

By: /s/ James M. Kaplan
JAMES M. KAPLAN